



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 6331 of 2025

1. Sakunthala

W/o Late Shanmugam,
No 1/20, Northern Street,
Dharanivaragapuram Village,
Tiruttani Taluk, Thiruvallur District.

2. Selvi

D/o. Late Shanmugam,
W/o. K.S.Dhayalan,
No. 3/158, Chinnathangal Ramar Koil
Street, Mittapalayam, Nagari
Mandalam, Chittor District.

3. S.Kumar

S/o. Late Shanmugam,
Residing at. No.1/20, Northern Street,
Dharanivaragapuram Village, Tiruttani
Taluk, Thiruvallur District.

4. S.Mohan

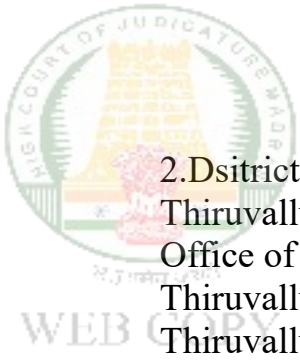
S/o. Late Shanmugam,
Residing at. No.1/20, Northern Street,
Dharanivaragapuram Village, Tiruttani
Taluk, Thiruvallur District.

Petitioner(s)

Vs

1. Vasantha

D/o Subramani,
Dharanivaragapuram Village, Tiruttani
Taluk, Thiruvallur District.



2. District Collector
Thiruvallur,
Office of Collectorate Building,
Thiruvallur Town and Taluk,
Thiruvallur District.

3. The District Revenue Officer,
Thiruvallur,
Office of Collectorate Building,
Thiruvallur Town and Taluk,
Thiruvallur District.

4. The Revenue Divisional Officer
Tiruttani,
Office of Taluk Office Compound,
Pattabiramapuram Village, Tiruttani
Taluk, Tiruvallur District.

5. The Tahsildar
Tiruttani,
Office of Taluk Office Compound,
Pattabiramapuram Village,
Tiruttani Taluk, Tiruvallur District.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 29.10.2025 made in un-numbered OS No. Nil of 2025 in SR.No.501/2025 on the file of the Learned Subordinate Judge, Tiruttani, Tiruvallur District and direct the numbering of the Suit and thereby render justice.

For Petitioner(s): Mr. Jeremiah Gregory John

For Respondent(s): Mr. V. Ramesh
Government Advocate for R2 to
R5



ORDER

Heard Mr.Jeremiah Gregory John, learned counsel for the petitioner.
Mr.V.Ramesh, learned Government Advocate, takes notice for the respondents 2 to 5.

2. The revision petitioner, as a plaintiff, has filed a suit for declaration and various reliefs as against the defendants. Some of them are Government Authorities including the District Collector, District Revenue Officer, Revenue Divisional Officer and the Tahsildar. The Trial Court, even at the stage of institution of the suit has proceeded to decide the merits of the claims made by the petitioner and rejected the plaint by invoking Order VII Rule 11(d) C.P.C.

3. This Court has deprecated such practice, in the decision of ***Selvaraj and others vs Koodankulam Nuclear Power Plant Indian Ltd*** reported in ***2021 SCC Online Mad 2514***. I have also gone through the impugned order, and it is apparent that, the trial Court has gone into the merits and demerits of the plaint averments at the stage of numbering the suit, which is not permissible in law. It is settled law that while numbering the suit, the Court only performs a ministerial act and not a judicial function. The trial court was not required to conduct any roving enquiry and go into the merits of the petitioner's contentions



and invoke the powers under Order VII Rule 11(d) of C.P.C, *suomotu* to reject the plaint.

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4. In view of the above, the impugned order dated 29.10.2025 is set aside and the matter is remitted to the trial Court. It is needless to state that the petitioner shall have to obtain orders in the application to dispense with notice under Section 80(2) of C.P.C before the suit is entertained and it shall be open to the defendants to seek for rejection of the plaint, if so advised, invoking Order VII, Rule 11(d) of C.P.C. No costs.

11-12-2025

Jd
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

To
The Learned Subordinate Judge, Tiruttani, Tiruvallur District.



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P.B.BALAJI J.
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